



Dr SW
Docket No.: N9810.0025/P025
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Harry A. Dugger, III et al.

Application No.: 10/671,715

Confirmation No.: 9275

Filed: September 29, 2003

Art Unit: 1616

For: BUCCAL, POLAR AND NON-POLAR
SPRAY CONTAINING ZOLIPIDEM

Examiner: M. Haghigian

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed February 2, 2006, Applicant hereby provisionally elects claims 1-10, 22-28, 40-48, 57, 59 and 61 for continued examination.

The Examiner has required restriction between Group I, claims 1-10, 22-28, 40-48, 57, 59 and 61 drawn to a propellant free composition; and Group II claims 11-21, 29-40, 49-56, 58, 60 and 62, drawn to a composition containing a propellant.

Applicants expressly reserve the right to file a divisional application directed to the claims of Group II.

Dated: February 23, 2006

Respectfully submitted,

By

James W. Brady, Jr.

Registration No.: 32,115

DICKSTEIN SHAPIRO MORIN &

OSHINSKY LLP

2101 L Street NW

Washington, DC 20037-1526

(202) 785-9700

Attorney for Applicant